

6. (Amended) A device to secure medical tubing to a body comprising a one-piece fabric band having a first closed loop, a second closed loop and a third closed loop, wherein the first closed loop fits elastically around a portion of the body and the second and third closed loops are capable of receiving and holding medical tubing close to the body.

10. (Amended) A device according to claim 6 wherein the closed loops are formed by stitching.

COMMENTS

Claims 1-14 are claims in the case. Claims 1, 5, 6, and 10 have been amended.

Section 102(e) rejections

The examiner rejected claims 1-14 under 35 USC § 102(e) as anticipated by US Patent 6,269,814 to Blaszczykiewicz et al (the '814 patent). This rejection is traversed.

The '814 patent discloses a sleep apnea headgear made from two T-shaped portions and a chin-strap ('814 patent at col. 1, lines 50-55; Fig. 1; claim 1). These pieces are joined by buckles and hook-and-eye fasteners to create a headgear for use by a sleep apnea sufferer. The '814 patent does not disclose a one-piece fabric band.

Independent claims 1 and 6 have been amended to recite that the fabric band is a one-piece band. Independent claim 11 was so limited. The balance of the claims are all dependent on one of independent claims 1, 6, and 11. Accordingly, none of the claims are anticipated by the '814 patent since all are limited to a one-piece band.

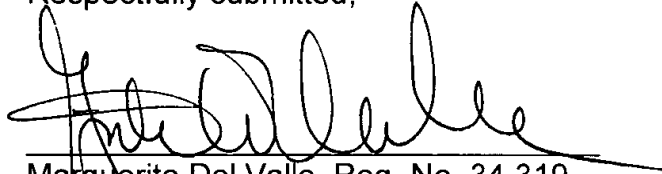
Claims 5 and 10 have been amended to delete the recitation of the one-piece band which was redundant in view of their dependencies on claims 1 and 6 respectively.

A copy of the claims marked up to show the amendments made are submitted herewith, as well as a clean copy of the amended claims.

Conclusion

In view of the foregoing, applicants submit that the claims as amended are in condition for allowance.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Marguerite Del Valle', written over a horizontal line.

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Copy of Claims Marked Up to Show Amendments Made

1. (Amended) A device to secure medical tubing to a body comprising a one-piece fabric band having at least a first closed loop and a second closed loop, wherein the first closed loop fits elastically around a portion of the body and the second closed loop is capable of receiving and holding medical tubing close to the body.

5. (Amended) A device according to claim 1 wherein [the fabric band is of one piece having stitching to form] the closed loops are formed by stitching.

6. (Amended) A device to secure medical tubing to a body comprising a one-piece fabric band having a first closed loop, a second closed loop and a third closed loop, wherein the first closed loop fits elastically around a portion of the body and the second and third closed loops are capable of receiving and holding medical tubing close to the body.

10. (Amended) A device according to claim 6 wherein [the fabric band is of one piece having stitching to form] the closed loops are formed by stitching.

Claim Copy of Amended Claims

1. (Amended) A device to secure medical tubing to a body comprising a one-piece fabric band having at least a first closed loop and a second closed loop, wherein the first closed loop fits elastically around a portion of the body and the second closed loop is capable of receiving and holding medical tubing close to the body.

5. (Amended) A device according to claim 1 wherein the closed loops are formed by stitching.

6. (Amended) A device to secure medical tubing to a body comprising a one-piece fabric band having a first closed loop, a second closed loop and a third closed loop, wherein the first closed loop fits elastically around a portion of the body and the second and third closed loops are capable of receiving and holding medical tubing close to the body.

10. (Amended) A device according to claim 6 wherein the closed loops are formed by stitching.